

REMARKS/ARGUMENTS

The Declaration is objected to. Applicants' representative is in the process of obtaining a corrected, revised Declaration and will submit same as soon as these are executed by the inventors.

The Specification is objected to because of certain informalities. These informalities have been addressed. Accordingly, applicants respectfully request withdrawal of the Examiner's objection.

Claims 1-19, 21-24, 28, 30, 31, and 33-39 are pending in the application. Each of these claims is rejected under 35 U.S.C. § 103(a) as being obvious in view of the cited references, particularly Suzuki WO 9825999 (Suzuki '999), Stern U.S. 4,681,577, Suzuki U.S. 6,258,196 (Suzuki '196), and/or Gross U.S. 5,403,870. Applicants respectfully traverse each of these rejections. Claims 2-4 and 32 are cancelled, without prejudice.

Applicants further note the Examiner's withdrawal of the indicated allowability of claim 38, in view of certain of the new cited references. Applicants also traverse this rejection.

Amended claim 1 recites a disposable absorbent article comprising, among other elements, an *absorbent core constructed of an absorbent composite*. Claim 1 also recites a pair of longitudinally extending, standing cuffs, spaced laterally from the core. Each cuff includes a folded portion of the topsheet and a longitudinally extending absorbent composite *secured within the folded portion*. This longitudinally extending absorbent composite further includes an absorbent layer of hydratable fine fibers and super absorbent polymer particles, and a non-woven substrate supporting the absorbent layer. Moreover, the first absorbent composite and the longitudinally extending absorbent composites of the cuffs are sections of *one continuous absorbent composite structure positioned about the crotch region* of the article.

As noted by the Examiner, the Suzuki '999 and Stern disclosures fail to disclose an absorbent article comprising of cuffs containing absorbent material. The Suzuki '196 reference is cited, however, as providing an absorbent composite that may also be contained in the side cuffs. According to the Office Action, it would have been obvious to one of ordinary skill in the art to incorporate the absorbent composite in side cuffs as disclosed in Suzuki '196.

Closer examination of Figures 39-41 of Suzuki '196 reveals, however, that certain features of the inventive article as recited by claim 1 are distinct from any structure in the Suzuki '196 article. For example, claim 1 recites a core that is constructed of the first absorbent composite. Secondly, claim 1 recites that the first absorbent composite and the longitudinally extending absorbent composite of the cuffs are sections of one continuous absorbent composite structure positioned about the crotch region. Neither of these elements are taught or suggested by Suzuki '196. Referring to Figures 39-41, the article depicted therein includes a core 30, which is separate and different from absorbent composite sheet controlling unit 40 which appears to include A-component layer 40A and B-component layer 40B. Core 30 is also separate and different from any structure that is in or associated with the cuff.

Moreover, Figure 41 does not teach or suggest A-component layer 40A extending upwardly into upstanding cuffs, as further recited in claim 1. Claim 1 recites that the cuff includes a folded portion of the top sheet and a longitudinally extending absorbent composite secured within the folded portion. Figure 41 of Suzuki '196 does not show an absorbent composite that is secured within such a folded portion. Suzuki '196 shows, instead, the A-component layer 40A providing the topsheet (not the core) and the outside layer of the cuffs. Thus, this reference fails to teach or suggest an absorbent composite secured in any folded portion.

Accordingly, not all the limitations of claim 1 are taught or suggested by the prior art combination of the two Suzuki references. As a result, the Examiner has failed to establish the required *prima facie* case of obviousness. *In re Roy*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.P.A. 1974).

Claim 1 and the claims dependent from claim 1 are, therefore, in condition for allowance.

For reasons similar to those set forth above with respect to claim 1, claim 18 is also in condition for allowance. Applicants note, in particular, that claim 18 recites an absorbent layer disposed between the topsheet and the backsheet providing an absorbent core for absorbing body exudates. The Suzuki '196 reference does not teach or suggest such a structure. Secondly, claim 18 recites two longitudinally extending composite sections extending upwardly from the crotch area into the cuffs in between the cuff layers. Again, the Suzuki '196 does not teach or suggest such a structure. Accordingly, claim 18 and the claims dependent from claim 18 are also in

condition for allowance. Similarly, independent claim 30, independent claim 39, and claims dependent from these independent claims include structural limitations similar to those described above. Thus, these claims are also in condition for allowance.

Attached hereto is a clean version of the claims pending in the application, after the current amendment. The attached is captioned **"Clean Version of Pending Claims"**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. The undersigned is available for telephone consultation if the Examiner believes such consultation will expedite prosecution of the application or resolve any outstanding issues.

Applicant believes no additional fees are due with this response. However, if an addition fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P01880US1 from which the undersigned is authorized to draw. Moreover, if any other Petition is required or if the appropriate Petition for Extension of Time does not accompany this Response, applicant hereby applies for said Petition and authorizes any fee associated therewith.

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Respectfully submitted,

By



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